

**CALENDAR ITEM
C54**

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12/17/14
PRC 5329.2
C. Hudson

ASSIGNMENT OF LEASE

LESSEES/ASSIGNORS:

Gary Fredericksen, Shelly Fredericksen, Greg Torlai, and Robert Reynolds

ASSIGNEES:

Norbert C. Freitas and Alice Freitas

AREA, LAND TYPE, AND LOCATION:

3,412 acres, more or less, of State school and lieu land in portions of Section 36, Township 32 North, Range 15 East, MDM; Sections 7, 16, 17, 18, 19, 20, and 30 Township 31 North, Range 16 East, MDM; and portions of Sections 24, 25, 34, and all of Section 36, Township 31 North, Range 15 East, MDM, near the unincorporated community of Ravendale, Lassen County.

AUTHORIZED USE:

Continued use and maintenance of existing livestock grazing and fencing.

LEASE TERM:

10 years, beginning November 22, 2009.

CONSIDERATION:

\$502 per year, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

SPECIFIC LEASE PROVISIONS:

1. Liability insurance with coverage of no less than \$1,000,000 per occurrence.
2. Number of animals permitted on the Lease Premises is restricted to those that can be supported by vegetation.
3. Lessees must exercise good grazing practices to avoid overgrazing.

CALENDAR ITEM NO. **C54** (CONT'D)

BACKGROUND:

School Lands were granted to the State of California by the federal government under the Act of March 3, 1853 (10 Stat. 244), and consisted of the 16th and 36th sections of land in each township (with the exceptions of lands reserved for public use, lands taken by private land claims, and lands known to be mineral in character). In cases of preemption due to the exceptions described above, the State was given the opportunity to select replacement lands from the United States in lieu of a Section 16 or a Section 36. These replacement lands are now known as Indemnity School Lands or Lieu Lands.

OTHER PERTINENT INFORMATION:

1. On October 29, 2010, the Commission authorized the issuance of a General Lease – Grazing Use to Gary Fredericksen, Shelly Fredericksen, Greg Torlai, and Robert Reynolds. The lease will expire on November 21, 2019. Norbert C. Freitas and Alice Freitas are now applying for an assignment of the lease for the continued use of livestock grazing and fencing. The Assignees must comply with the current grazing practices as outlined in the lease.

2. The staff recommends that the Commission find that the subject lease assignment does not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and is, therefore, not a project in accordance with the California Environmental Quality Act (CEQA).

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, sections 15060, subdivision (c)(3), and 15378.

EXHIBITS:

- A. Land Description
- B. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the subject lease assignment is not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because the subject activity is not a project as defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

CALENDAR ITEM NO. **C54** (CONT'D)

AUTHORIZATION:

Authorize the assignment of Lease No. PRC 5329.2, a General Lease – Grazing Use, of State school and lieu land on Exhibit A and shown on Exhibit B (for reference purposes only), attached and by this reference made a part hereof, from Gary Fredericksen, Shelly Fredericksen, Greg Torlai, and Robert Reynolds to Norbert C. Freitas and Alice Freitas, effective December 17, 2014.

EXHIBIT A

LAND DESCRIPTION

Those parcels of land situate in Lassen County, California and described as follows:

In Township 32 North, Range 15 East, Mount Diablo Meridian:

Section 36,

In Township 31 North, Range 16 East, Mount Diablo Meridian:

SE $\frac{1}{4}$ and E $\frac{1}{2}$ of SW $\frac{1}{4}$ of Section 7,

Section 16,

SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 17,

E $\frac{1}{2}$ of NW $\frac{1}{4}$, NE $\frac{1}{4}$ of SW $\frac{1}{4}$, W $\frac{1}{2}$ of SE $\frac{1}{4}$, and NE $\frac{1}{4}$ of Section 18,

Lot 4, NE $\frac{1}{4}$, and SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 19,

W $\frac{1}{2}$ of NW $\frac{1}{4}$ of Section 20,

Lot 1 of Section 30,

In Township 31 North, Range 15 East, Mount Diablo Meridian:

SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 24,

NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 25,

Section 36, and

That portion of Section 34 lying easterly of the Highway 395 Right-of-Way Excepting therefrom the lands conveyed to the County of Lassen by the deed recorded in Volume 0706, Page 787 Official Records of Lassen County and described as follows:

A strip of State School Land over a portion of the North half of Section 34, Township 31 North, Range 15 East, M.D.B.&M., in Lassen County, California, described as follows:

Beginning at the Northeast corner of Section 34, Township 31 North, Range 15 East, M.D.B.&M., a 1 inch I.P. tagged LS 3202 as shown on the Record of Survey for Secret Valley Farms filed in Book 20 of maps at page 26 at the Recorder's Office in Lassen County, California; thence running westerly along the north section line a distance of 2602.61 feet, more or less, to the east Right-of-

Way boundary of U.S. Highway 395; thence southerly along said Right- of Way line a distance of 108.35 feet, more or less, to the south opening (cattle guard) in the Right- of -Way fence for Deep Cut Road; thence easterly and parallel to the north section line a distance of 2618.85 feet, more or less, to the point of beginning.

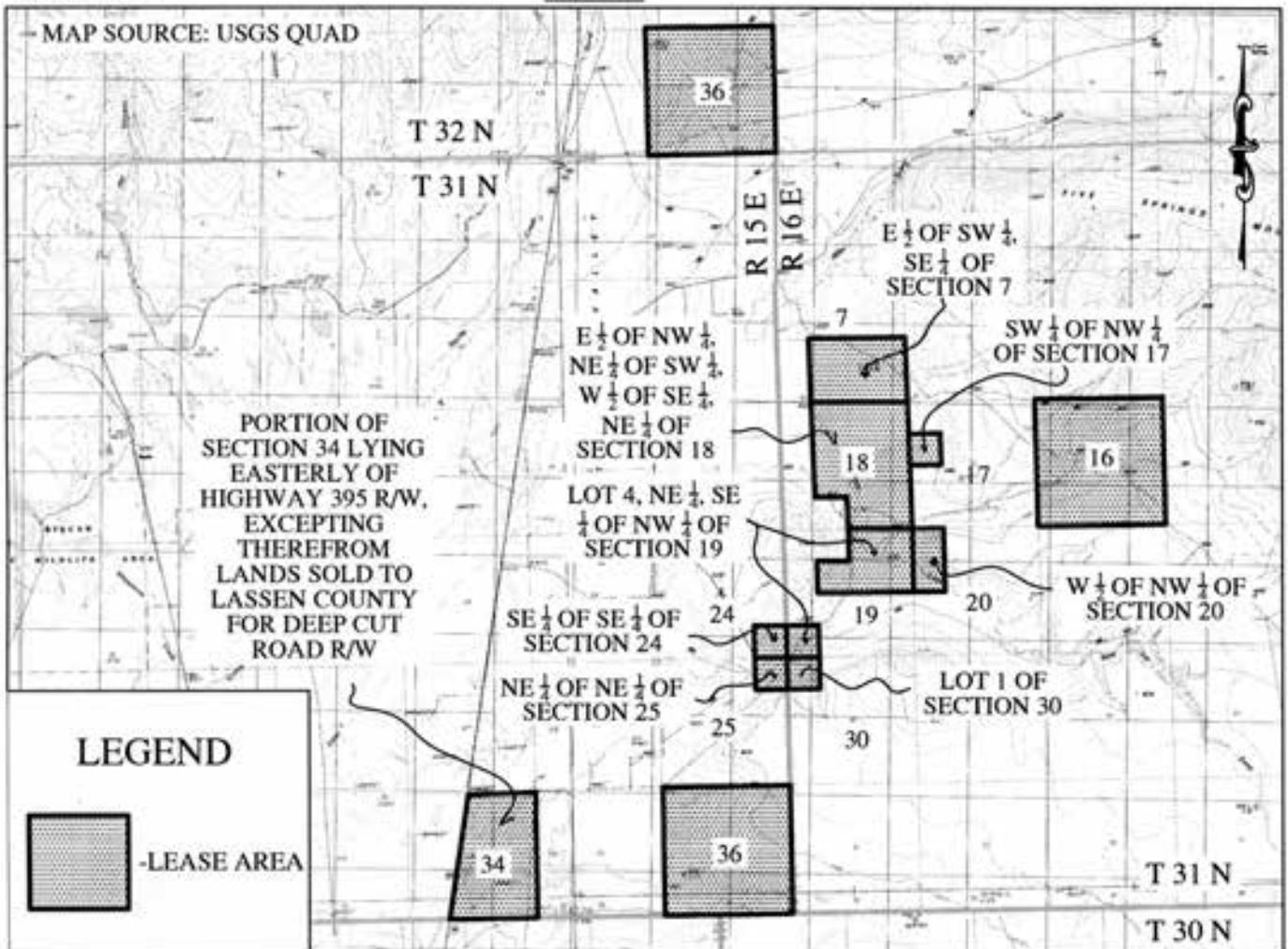
End of Description

This description was prepared May 9, 2000 from record data by S. Shasta Greene.



NO SCALE

SITE



STATE SCHOOL LANDS

PORTIONS OF SECTIONS 24, 25, 34 AND 36 T. 31 N., R. 15 E., AND SECTIONS 7, 16, 17, 18, 19, 20 AND 30 T. 31 N., R. 16 E., AND SECTION 36 T. 32 N., R. 15 E., MOUNT DIABLO MERIDIAN

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 5329.2
FREITAS
GENERAL LEASE -
GRAZING USE
LASSEN COUNTY



TS 09/19/14

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.